



Room 301, Hall of Records
2281 Tulare Street
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Board of Supervisors Agenda

Chairman

Juan Arambula
3rd District

Vice Chairman

Susan B. Anderson
2nd District

Phil Larson
1st District

Bart Bohn
County Admin. Officer

Judith G. Case
4th District

Phillip S. Cronin
County Counsel

Bob Waterston
5th District

Bernice E. Seidel
Clerk

ACTION SUMMARY MINUTES

TUESDAY

AUGUST 19, 2003

9:00 A.M.

PLEDGE OF ALLEGIANCE

NOTE: The morning consent agenda has been moved to Item 1. Any agenda item that is pulled from the morning consent agenda for discussion will be set aside until the department can be notified and its representative is in the board room.

1. Morning Consent Agenda – Item Numbers 14 - 36

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Morning Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

WCAnLA

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM NOS. 23 AND 24 WHICH WERE PULLED FOR DISCUSSION

CONSENSUS

CONTINUED ITEM NO. 23 TO AUGUST 26, 2003

CLAnWA

APPROVED ITEM NO. 24 DELETING APRIL 20TH MEETING AND STAFF TO RETURN TO THE BOARD WITH AN ALTERNATIVE FOR THE NOVEMBER 23RD MEETING; DIRECTED STAFF TO LOOK AT THE OVERALL DATES OF TUESDAY OR WEDNESDAY AND LOOK AT THE IMPLICATIONS/RAMIFICATIONS WITH OTHER COMMITTEE MEETINGS AS WELL AS THE SPECIFIC DATES; STAFF TO EXPLORE AN EVENING SESSION ONCE EACH QUARTER FOR LAND USE ITEMS

Administrative Office

2. Receive report on FY 2003-04 adopted State Budget and associated Trailer Bills

B.O.

RECEIVED; DIRECTED COUNTY COUNSEL TO REVIEW THE LEGALITY OF THE STATE PASSING FEDERAL CHILD SUPPORT AUTOMATION PENALTIES TO COUNTIES AND RETURN WITH A BRIEFING TO THE BOARD

3. Approve countywide cost savings measures to reduce impacts from current budget situation

CLAnWA

APPROVED AS RECOMMENDED

4. Conduct first hearing on proposed ordinance to create the Office of Fresno County Fire Warden and set second hearing August 26, 2003 (continued from August 5, 2003)

AnLCWA

CONTINUED INDEFINITELY

5. Consider and adopt position opposing proposed Senate Bill 18, which would create substantial new planning and environmental processes that duplicate existing processes, add regulatory processes that are closed to public scrutiny, and create unfunded mandates with substantial local costs to implement; and authorize Chairman to forward letter of opposition to State Legislators

AnLCWA

APPROVED AS RECOMMENDED; FURTHER AUTHORIZED COPY OF LETTER BE FORWARDED TO KINGS COUNTY BOARD OF SUPERVISORS

6. Receive and accept the Evaluation Report for the Neighborhood Resource Center's 2002, AB 1741 Pilot Project

LWAnCA

APPROVED AS RECOMMENDED

7. Approve and authorize Chairman to send letter to legislators, the State Department of Social Services, regional agencies and organizations, and other interested individuals requesting support for review and possible modification of the Social Worker Base Allocation formula for counties

AnWCLA

APPROVED AS RECOMMENDED

8. **Board of Supervisors' Committee Reports** – Receive and provide direction (This item reserved for committee reports by members of the Board of Supervisors)

HELD

9. **Board Appointments** – (List attached in packet and posted on bulletin board outside of Board Chambers)

ASSESSMENT APPEALS BOARD

APPOINTED DALE SAMUELIAN AS ALTERNATE

WORKFORCE INVESTMENT BOARD

REAPPOINTED DARRYL G. HANOIAN

REAPPOINTED LEE R. SCHULTZ

REAPPOINTED HAROLD J. SIMONIAN

ALCOHOL & DRUG ADVISORY BOARD

APPOINTED ONEHAWK HIRAJETA TO REPLACE BRIAN CONWAY

AnCLWA

APPROVED NOMINATIONS FOR APPOINTMENTS /REAPPOINTMENTS

10. **Closed Session –**

- a. Conference with legal counsel – Existing Litigation, Government Code Section 54956.9(a), County of Fresno v. Board of Retirement, Fresno County Superior Court Case No. 03 CE CG 01569
- b. Conference with Real Property Negotiators GC 54956.8
Property: Acute care hospital, formerly known as Valley Medical Center; ambulatory care clinics (including the children's clinic) and Huntington Hall, all at 445 S. Cedar Avenue
County's Negotiators: Bart Bohn, Susan Anderson, Vicki Crow, Phillip Cronin
Negotiating Parties: Community Medical Center and County of Fresno
Under Negotiation: Lease of property described above – instructions to County's negotiators concerning leasing price and terms of lease payments
- c. Conference with legal counsel – Significant Exposure to Litigation, Government Code Section 54956.9(b), No. of Cases: 1
- d. Conference with legal counsel – Initiation of Litigation, Government Code Section 54956.9(c), No. of Cases: 1
- e. Conference with legal counsel – Existing Litigation, Government Code Section 54956.9(a), Thomas C. Lean and Donald L. Burk v. County of Fresno; Board of Supervisors, County of Fresno; Vicki Crow, Auditor/Controller, County of Fresno; Superior Court, County of Fresno and Does 1 through 50, Fresno County Superior Court Case No. 03 CE CG 02256 HAC
- f. Pending Litigation, Section 54956.9(a), Earl Simmons III, et al., v. County of Fresno, et al.

HELD

NOON RECESS

2:00 P.M.

11. Afternoon Consent Agenda – Item Numbers 37 - 51

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Afternoon Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

AnLCWA

APPROVED AS RECOMMENDED

Administrative Office

12. Conduct public protest hearing to consider levying assessment for provision of fire protection and first responder medical services to be provided for properties within boundaries of proposed County Service Area No. 50 (Auberry Area)

WAnLCA

APPROVED RECOMMENDED ACTION NOS. 1A, 2 AND 3 OF AGENDA ITEM

13. **Public Presentations** – (This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda – Pursuant to Administrative Policy No. 29, presentations are limited to 5 minutes per person and no more than 15 minutes per topic)

HELD

ADDENDUM TO AGENDA

Administrative Office

Adopt resolution expressing support for air quality regulations which clean the air and are based on sound science and include consideration of economic impacts and urging the State Legislature to adopt Senate Bill 700 if amended to address only the specific deficiency noted by U.S. Environmental Protection Agency to eliminate the air pollution permit exemption which will address only those agricultural sources identified as “Federal major sources,” The Fresno County Board of Supervisors opposes the passage of Senate Bills 705, 707 and 709 (Florez) in their current form which does not consider economic impacts, technological viability, safety, and the availability of long term funding, which expands regulations to a higher standard than any other regulated industry in the nation

Placement on Agenda: **To Follow Item 3**

LCW
AnA/no

ADOPTED RESOLUTION NO. 03-405

CWLANA

ADJOURNED

NEXT MEETINGS:

Notice of Public Information Meeting:

Golden State Corridor Visioning Report
At the Spike & Rail Steak House – 2910 Pea Soup Andersen Blvd., Selma
Thursday, August 21, 2003, at 6:00 P.M.

August 26, 2003 – 9:00 A.M.

September 9, 2003 – 9:00 A.M.

Requests for disability-related modification or accommodation needed in order to participate in the meeting must be made to the Clerk to the Board of Supervisors (559) 488-3529 no later than Monday at 9:00 a.m.

MORNING CONSENT AGENDA – Item Numbers 14 - 36

(Any Board Member may pull any consent item for discussion or separate vote)

WCAnLA

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CONSENSUS

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ITEMS

Auditor-Controller/Treasurer-Tax Collector

14. Approve and authorize Auditor-Controller/Treasurer-Tax Collector to negotiate proposed agreement with KPMG, LLP, to provide audit and consulting services (\$107,800) for Fiscal Years ending June 30, 2002 and 2003

Sheriff

15. Conduct second hearing to consider amending the Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Section 2600 relating to Sheriff Jail Booking fees
16. Approve sole source purchase of a fingerprint card file cabinet for Crime Lab; adopt resolution increasing appropriations and estimated revenue for FY 2003-04 Sheriff-Grants Org. 31125000 (\$16,000) for the purchase of equipment (4/5 vote)
17. Adopt resolution increasing appropriations and estimated revenues for FY 2003-04 Sheriff-Grants Org. 3112 (\$1,100) for purchase of one refrigerator (4/5 vote)

Administrative Office

18. Adopt resolutions rejecting claims for damages; and approve a resolution rejecting an application for leave to present a late claim for damages
19. Adopt resolution increasing the FY 2003-04 operating plan for Fleet Services Equipment Org. 8911 to purchase pick-up truck (\$32,000) (4/5 vote)
20. Adopt resolution transferring appropriations in the FY 2002-03 Human Services System Administration Budget (\$14,386) to the FY 2003-04 Budget to purchase two copy machines for the Health and Mental Health Accounting Division (4/5 vote)
21. Adopt resolution transferring appropriations in the FY 2001-02 Human Services System Administration Budget (\$800) to the FY 2003-04 Budget to purchase a facsimile machine for the Business Office; and adopt resolution increasing the FY 2003-04 Information Technology Services Department Internal Services Fund appropriations and estimated revenue for Org. 8908 (\$800) to purchase a facsimile machine for Human Services System Administration (4/5 vote)
22. Consider and take action on request for determination of public convenience and necessity on application for alcoholic beverage license filed by Castle B, Inc.

23. Consider and take action on request for determination of public convenience and necessity on application for alcoholic beverage license filed by Laura Eileen Rojas

CONSENSUS

CONTINUED ITEM NO. 23 TO AUGUST 26, 2003

24. Adopt Board meeting schedule for January through December 2004

CLAnWA

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25. Approve FY 2003-04 update to Refugee Services Plan; and adopt resolution for submission of Plan update to California Department of Social Services
26. Approve and authorize submission of application to the 2003-04 Thirteen/WNET-TV New York for Cyberchase Grant Program
27. Approve and authorize Chairman to execute FY 2003-04 California Healthcare for Indigents Program application for Proposition 99 Tobacco Surtax funds

Agreements – Approve and Authorize Chairman to Execute

28. Amendment to lease with John Ostlund (KJWL Radio) to upgrade and move radio broadcast equipment located atop the County Plaza Building
29. Retroactive – agreement with California Department of Food and Agriculture for Organic Program activities (\$3,700)
30. Retroactive – revenue agreement with the State Department of Health Services to perform Medi-Cal Administrative Activities (\$7,500,000); retroactive – Master Agreement for Medi-Cal Administrative Activities (\$7,500,000); and retroactive – Master Agreement for Targeted Case Management services
31. Amendment to license agreement with Superior Court of California for space at Selma Regional Center to house interim Satellite Office of Selma Division Court
32. Agreement with Fresno Pacific University for field placement of students within Human Services System Departments
33. Agreement with Addiction Intervention Resources, Inc., for alcohol and drug treatment services (\$169,110)
34. Agreement with Fresno Unified School District for Targeted Truancy Program (\$84,068); adopt budget resolution increasing FY 2003-04 appropriations and estimated revenues in Probation Org. 34300530 (\$84,068) to correspond with agreement (4/5 vote); and adopt Appendix “C” amending Salary Resolution by adding one Deputy Probation Officer position to Probation Org. 34300700
35. Retroactive – agreements with the California Department of Education to accept CalWORKs Alternative Payment Child Care revenues (\$14,390,568); and adopt resolution authorizing Chairman to execute agreements as required by California Department of Education

36. Agreement with University of California, San Diego Extension, to provide Certified Lactation Education Counselor and Train the Trainer training for the Babies First Breastfeeding, Education, Training and Support Project (\$129,170); and approve and authorize Clerk to execute Budget Transfer No. 5 to reallocate existing appropriations within the Department of Community Health FY 2003-04 Org. 56201727 and 56201728 (\$2,942) to purchase standing display

AFTERNOON CONSENT AGENDA – Item Numbers 37 - 51
 (Any Board Member may pull any consent item for discussion or separate vote)

AnLCWA

APPROVED AS RECOMMENDED

Administrative Office

37. Adopt resolution approving FY 2003-04 budget and member assessments for I-5 Business Development Corridor, Inc., as recommended by the I-5 Business Development Corridor Board of Directors and consistent with County's Economic Development Strategy
38. Accept grant of easement from Gurdwara Gur Nanak Parkash Fresno, Inc., for right-of-way dedication under Site Plan Review 7099 at 4250 E. Lincoln Avenue
39. Accept grants of easement from Clovis Hills Community Church of Clovis and Robert Henry Lewellen and Pearl Elizabeth Lewellen for right-of-way dedication under Site Plan Review 7197 at 10590 N. Willow Avenue, Clovis
40. Adopt Resolution of Intention to form Underground Utility District No. 61, Barton Avenue: Dakota Avenue to Saginaw Way Alignment and set formation hearing for September 30, 2003, at 2:00 p.m.
41. Approve selection of Golder Associates, Inc., to provide engineering services for preparation of plans, specifications, cost estimate and Environmental Quality Act support documents for clean-closure of Mendota Disposal Site approximately one mile northeast of City of Mendota; and authorize Director of Department of Public Works and Planning to negotiate agreement
42. Adopt proposed Negative Declaration for Initial Study Application No. 4834 for roadway shoulder improvements at various locations; make finding that irregularities in bid submitted by Emmett's Excavation, Inc., are material and, to the extent they may be considered immaterial, the Board shall elect to exercise its discretion by declining to waive those irregularities; and award Contract No. 03-05-C, Shoulder Improvements, various locations, Congestion Mitigation and Air Quality Improvement Program No. CML5942(139) to lowest bidder, Garcia Paving Company, Inc., 2951 S. Elm, Fresno (\$1,291,440.50)
43. Approve City of Fresno's request to acquire road right-of-way along south side of Herndon Avenue from Van Ness Boulevard westerly, approximately 240 feet
44. Approve City of Fresno's request to acquire road right-of-way for Gettysburg Avenue, east of Hayes Avenue, for approximately ¼ mile
45. Release Labor and Materials Security posted (\$434,000) and reduce Performance and Maintenance Security posted from \$1,128,000 to \$134,144.67 to guarantee maintenance of improvement for Tract No. 5008 for one year
46. Adopt resolution authorizing conveyance of 2.5-acre homesite parcel from 30-acre parcel of land, subject to Agricultural Land Conservation Contract No. 6744

Agreements – Approve and Authorize Chairman to Execute

47. Multi-Project Agreement with Sierra Unified School District for Sierra Oaks Senior Center Community Development Block Grant Projects (\$93,052)
48. Agreement with Lanare Community Services District for Lanare Wellhead Treatment-Phase I Community Development Block Grant Project No. 03091 (\$172,240)
49. Agreement with City of Fresno for reconstruction of Herndon Canal Bridge on Palm Avenue; and approve share of funds required to match Federal Highway Bridge Replacement and Rehabilitation program funding
50. Program Supplement Numbers 170-M for Los Gatos Creek Bridge on El Dorado Avenue, 171-M for Zapato Chino Creek Bridge on Jayne Avenue, 172-M for Wahtoke Creek Bridge on Frankwood Avenue, and 173-M for Redbank Slough Bridge on McCall Avenue to Administering Agency-State Master Agreement for Federal Aid No. 06-5942
51. Amendments to agreements with Department of Fish and Game for Huron and Fairfax Fishing Areas